

1 KEKER & VAN NEST LLP
ROBERT A. VAN NEST - # 84065
2 rvannest@kvn.com
CHRISTA M. ANDERSON - # 184325
3 canderson@kvn.com
DANIEL PURCELL - # 191424
4 dpurcell@kvn.com
633 Battery Street
5 San Francisco, CA 94111-1809
Telephone: (415) 391-5400
6 Facsimile: (415) 397-7188

7 KING & SPALDING LLP
BRUCE W. BABER (pro hac vice)
8 bbaber@kslaw.com
1185 Avenue of the Americas
9 New York, NY 10036
Tel: (212) 556-2100
10 Fax: (212) 556-2222

11 Attorneys for Defendant
GOOGLE INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 ORACLE AMERICA, INC.,

16 Plaintiffs,

17 v.

18 GOOGLE, INC.,

19 Defendant.

Case No. 3:10-cv-03561 WHA (DMR)

**DECLARATION OF MAYA KARWANDE
IN SUPPORT OF GOOGLE'S MOTION
TO REDACT AND SEAL PORTIONS OF
THE JANUARY 14, 2016 DISCOVERY
HEARING TRANSCRIPT**

Date: February 25, 2016
Time: 11:00 a.m.
Dept. Courtroom 4, 3rd Floor (Oakland)
Judge: Hon. Donna M. Ryu

1 I, MAYA KARWANDE, declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and am an
3 associate at the law firm of Kecker & Van Nest LLP, counsel to Google Inc. ("Google") in the
4 above-captioned action. I submit this declaration in support of Google's Motion to Redact and
5 Seal Portions of the January 14, 2016 Discovery Hearing Transcript. I have knowledge of the
6 facts set forth herein, and if called upon as a witness, I could testify to them competently under
7 oath.

8 2. During the January 14, 2016 discovery hearing on Oracle's Motion to Compel
9 (Dkt. No. 1404) counsel for Oracle disclosed information regarding Google's sensitive, non-
10 public revenues and profits associated with Android. January 14, 2016 Tr. at 4:10-13, 6:19-20.
11 This information was derived from internal Google financial documents that Google has
12 designated as "HIGHLY CONFIDENTIAL – ATTORNEY'S EYES ONLY" under the Protective
13 Order that governs this case. Dkt. No. 66. Oracle did not provide any advance notice to Google
14 that it intended to disclose this highly confidential information at the hearing.

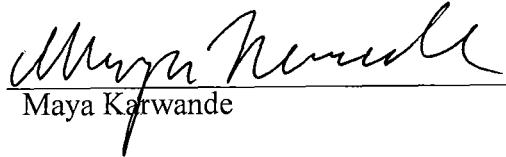
15 3. Google does not publicly allocate revenues or profits to Android separate and apart
16 from Google's general business. Google considers that non-public financial data to be highly
17 sensitive, and public disclosure of the information described herein could have significant
18 negative effects on Google's business. Indeed, this Court has previously considered and granted
19 Google's requests to file under seal the amount of Android-related revenues and profits. *See* Dkt.
20 No. 1387. In addition, Judge Alsup has granted several other requests to file under seal similar
21 financial information, including the revenues and profits associated with Android. *See, e.g.*, Dkt.
22 No. 935, Dkt. No. 1056, Dkt. No. 1122, Dkt. No. 1375.

23 4. On January 19, 2016 at 11:49 a.m., counsel for Google sent a letter to counsel for
24 Oracle by email asking Oracle to join Google's formal request to the Court to seal the above-
25 described portions of the January 14, 2016 hearing transcript. Google's counsel reached out to
26 Oracle's counsel again on January 20, 2016. Oracle has not responded to Google's
27 correspondence.

28 I declare under penalty of perjury under the laws of the State of California that the

1 foregoing is true and correct to the best of my knowledge.

2 Executed on this 21st day of January, 2016 at San Francisco, California.

3
4
5 By: 
6 Maya Karwande
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28